

**Enviro Consultant Service, LLC**

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To: Arthur Neal, Director
Program Administration
National Organic Program, USDA

From: Robbi J. Jackson, CEO & Member

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Pages: 2, including this page

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Date: August 15, 2005

Re: **COMMENTS responding to ANPR,
Docket Number TM-04-07**

CC:

Dear Mr. Neal,

This fax provides COMMENTS to the USDA's Agricultural Marketing Service's ("AMS") Advance Notice of Proposed Rulemaking invitation for comments.

My sister and I own and operate Enviro Consultant Service, LLC, and our company manufactures seven different products presently listed as "allowed" NOP-inputs for organic crop and livestock production. Several of the substances on the Sunset List are critical for crop and livestock production with our NOP-listed products, and thus, ECS and its owners/operators are interested persons/parties with standing to offer COMMENTS in response to ANPR, Docket Number TM-04-07.

Several of our customers use our NOP-listed inputs as ingredients. Therefore, changing the status of the substances addressed below would cause irreparable disruption of ECS's well-established and accepted production of its organic products, and would cause a far-reaching ripple effect of irreparable disruption of well-established and accepted production of various organic products.

§205.601(j)(3) Humic acids – naturally occurring deposits, water and alkali extracts only. By definition, humic acids are "naturally occurring deposits, water and alkali extracts only." ECS derives its humic and fulvic acid ingredients via pure water leaching/extractions. Apparently, humic acids are listed under the heading "Synthetic substances allowed for use in organic crop production," because the USDA category allows alkali extractions. Nevertheless, our humic acid derivative is a *water leached* naturally occurring product, that: 1) **is not** harmful to human health or the environment; 2) **is** necessary because it is extremely beneficial and **IS** NON-synthetic; and 3) **is** consistent and compatible with organic practices. This raw material is an essential component in five of our current products, and is a component in another product that we are currently researching and developing. Expiration of this allowance would cause irreparable disruption of our well-established and accepted production of primary lines of products. We respectfully request the National Organic Standards Board ("NOSB") recommend and that the Secretary of Agriculture renew humic acids' "allowed" status, for use in organic crop production.

§205.603(d)(2) Trace minerals, used for enrichment or fortification when FDA approved. Similar to §205.601(j)(3), the AMS has listed "Trace minerals used for enrichment or fortification when FDA approved" as a "synthetic substance." Our trace minerals are water leached from naturally occurring deposits and have proven to be beneficial as incorporated in our dry feed additive since 1997. These trace minerals have no


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adverse impacts on humans, livestock, or the environment. The trace minerals included in our dry feed additive have no toxic inerts, are not subjected to any chemical processing, and are not subjected to any process that chemically changes the trace minerals extracted from their naturally occurring mineral sources. The trace minerals incorporated into our dry feed additive are completely compatible with organic farming and handling. Expiration of this allowance would cause irreparable disruption of our well-established and accepted production of at least one of our long-standing products. Again, we respectfully request the NOSB recommend and that the Secretary of Agriculture renew the "allowed" status of Trace minerals, used for enrichment or fortification when FDA approved.

§205.605(a) Diatomaceous earth, Enzymes, Kaolin, and Yeast (Bakers and Brewers), and §205.605(b) Silicon dioxide. These products, all listed as "Allowed" were incorporated into the ingredient list for one of our products. This product has been manufactured and tested since 1997 with no adverse effects. The results that have been reported in conjunction with our product that contains these listed components have been extremely positive and beneficial to our customers. We are unaware of acceptable substitutes for these components, thus expiration of their allowance would necessitate the discontinuation of that particular product. A product discontinuation of this nature would adversely impact our distributors as well as the end-users that have come to rely on the benefits derived by its use. Once again, we respectfully request the NOSB recommend and that the Secretary of Agriculture renew the "allowed" status of Diatomaceous earth, Enzymes, Kaolin, Yeast (Bakers and Brewers), and Silicon dioxide.

Thank you for the opportunity to COMMENT in response to ANPR, Docket Number TM-04-07. It is expensive and challenging to design, develop, and manufacture safe, beneficial products that conform with existing USDA-published "allowed" components and criteria. To the best of our knowledge, there is no scientific data that provides evidence of any harm caused to humans or the environment by any component/ingredient or processing necessary for manufacturing any of the ECS products. We have thoroughly reviewed the Organic Foods Production Act of 1990, as well as the Proposed Rules published in the Federal Register on Friday, June 17, 2005 in Vol. 70, No. 116, and are confident that the components in our various products are safe for humans, livestock, and the environment, and after witnessing for several years the results achieved by our customers in crop and livestock production, we are confident that our products are extremely beneficial, and substitutes for our products and their key components are not readily available.

Sincerely,



Robbi J. Jackson
CEO and Member of Enviro Consultant Service, LLC

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